

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 3, 2004. Claims 1-45 are pending in the Application. The Examiner rejected Claims 1-45. Applicants have amended Claims 1, 2, 14, 26, and 38 to clarify what the Applicants consider to be the invention. Applicants have canceled Claims 7 and 31 without prejudice or disclaimer. Applicants submit that no new matter has been added with these amendments. As described below, Applicants believe all claims to be allowable over the cited references. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

Claims 14-16 are Patentable over the Cited References

The Examiner rejects Claims 14-16 under 35. U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,455,855 issued to Hokari ("*Hokari*").

Claim 14, as amended, of the present application recites:

A communication network for establishing a telephone call between a trusted telephone and an untrusted device, the communication network comprising:

a first trusted network;

a trusted telephone coupled to the first trusted network;

an authentication controller coupled to the first trusted network and operable to evaluate a call initiation request received from an untrusted device external to the first trusted network, the call initiation request indicating a desired communication with the trusted telephone, wherein evaluating the call initiation request comprises determining whether the untrusted device is requesting the establishment of media streaming with the trusted IP telephone; and

a call manager operable to initiate the creation of a telecommunication link between the trusted telephone and the untrusted device in response to a positive evaluation of the call initiation request.

Claim 14 has been amended to incorporate the features recited in dependent Claim 7, which is cancelled without prejudice or disclaimer. The Examiner acknowledges that *Hokari* does not explicitly disclose media streaming. (Office Action, page 9). Rather, the Examiner relies on U.S. Patent No. 6,584,562 issued to Fiori ("*Fiori*") for disclosure of "determining whether

the untrusted device is requesting the establishment of media streaming with the trusted IP telephone," as recited in amended Claim 14.

However, Applicants respectfully submit that *Fiori* also does not disclose, teach, or suggest "wherein evaluating the call initiation request comprises determining whether the untrusted device is requesting the establishment of media streaming with the trusted IP telephone; and . . . initiat[ing] the creation of a telecommunication link between the trusted telephone and the untrusted device in response to a positive evaluation of the call initiation request," as recited in Applicants' amended Claim 14. *Fiori* is limited to an encryption system that generates an encryption key for the communications between subscriber sets and encrypts the identifiers of subscriber taps associated with a subscriber set to secure the content of the communications between the subscriber sets. Although *Fiori* describes the encryption system as being "applicable to all telephone networks," *Fiori* does so "on condition that provision is made for analog/digital conversions for the encrypting of information." (Column 3, lines 36-39). Specifically, *Fiori* discloses that "[w]hen the subscriber TP1 calls the subscriber TP2 and wishes to secure his link, the subscriber TP1 keys in the call number of the subscriber TP2 followed, for example, by a specific signal such as for example the hash keypad button." (Column 6, lines 29-32). "Recognition of this hash button by the network terminal TR1 makes it possible to establish a link with the server SV." (Column 6, lines 32-34). Accordingly, *Fiori* does not disclose, teach, or suggest, in any manner, evaluating the call initiation request to determine "whether the untrusted device is requesting the establishment of media streaming," as recited in amended Claim 14. As such, *Fiori* also cannot be said to disclose, teach, or suggest initiating the creation of a telecommunication link "in response to a positive evaluation of the call initiation request," as also recited in amended Claim 14. These features and operations are completely absent from the teachings of *Fiori*. For at least these reasons, Applicants respectfully submit that *Fiori* does not make up for the acknowledged deficiencies of *Hokari*.

Dependent Claims 15-16 depend from Claim 14, which Applicants have shown above to be allowable. Dependent Claims 15-16 are allowable over the prior art of record at least because of their respective dependencies. Additionally, dependent Claims 15-16 recite limitations that are not disclosed, taught, or suggested by the prior art. Because Applicants

have shown independent Claim 14 to be allowable, Applicants have not provided detailed arguments with respect to Claims 15-16. Applicants remain ready to do so, however, should it become appropriate.

For at least these reasons, Claims 14-16 are allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance of Claims 14-16.

Claims 1, 2-13, and 17-45 are Patentable over the Cited References

The Examiner rejects Claims 1, 2-13, and 17-45 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of *Hokari*, *Fiori* and U.S. Patent No. 6,389,462 issued to Cohen et al. ("Cohen"). Because the references, whether considered alone or in combination, do not teach each every element in Applicants claims, Applicants respectfully submit that Claims 1, 2-13, and 17-45 are patentable over the prior art of record.

Regarding the independent claims, Claims 1, 2, 26, and 38 recite limitations that are similar, though not identical, to the limitations discussed above with regard to Claim 14. As just one example, Claim 1 recites "evaluating a call initiation request . . . [and] establishing a telecommunication link between the untrusted device and the trusted IP telephone in response to a positive evaluation of the call initiation request, wherein evaluating the call initiation request comprises determining whether the untrusted device is requesting the establishment of media streaming with the trusted IP telephone." Again, the Examiner relies upon *Fiori* for disclosure of the recited features. With regard to similar features recited in Claim 14, Applicants have demonstrated above, however, that *Fiori* does not disclose, teach, or suggest the recited features. Rather, *Fiori* is limited to an encryption system that generates an encryption key to secure the content of the communications between subscriber sets. Accordingly, for reasons similar to those discussed above with regard to Claim 14, Applicants respectfully submit that the references relied upon by the Examiner do not disclose, teach, or suggest each and every element as set forth in Applicants' independent Claims 1, 2, 26, and 38.

Dependent Claims 3-13, 17-25, 27-37, and 39-45 depend from Claims 2, 14, 26, and 38, respectively, which Applicants have shown above to be allowable. Dependent Claims 3-

13, 17-25, 27-37, and 39-45 are allowable over the prior art of record at least because of their respective dependencies.

Additionally, dependent Claims 3-13, 17-25, 27-37, and 39-45 recite limitations that are not disclosed, taught, or suggested by the prior art. As one example, Claim 9 recites "monitoring the telecommunication link to determine whether the telecommunications being sent by the untrusted device use an appropriate audio format." Claim 24 recites similar, though not identical, features and operations. As a further example, Claim 10 recites "monitoring the telecommunication link to determine whether the telecommunications being sent by the untrusted device comprise media streaming." Claim 25 recites similar, though not identical, features and operations. For disclosure of the recited elements, the Examiner relies on *Fiori*. Specifically, the Examiner again refers to the portion of *Fiori* that discusses the applicability of the encryption system of *Fiori* to all telephone networks. (Office Action, page 9 citing Column 3, lines 31-67 of *Fiori*). As discussed above with regard to independent Claim 14, however, *Fiori* is limited to an encryption system that generates an encryption key to secure the content of the communications between subscriber sets. Specifically, *Fiori* discloses that "[b]efore supplying an encryption authorization signal, the checking means of the server SV verifies the respective identifiers of the two subscriber taps of the two network terminals TR1 and TR2." (Column 6, lines 47-50). "If the check is positive, the generating means of the server transmit . . . a secret encryption key for carrying out the encryption of the information exchanged between the two subscribers with the aid of the DES algorithm." (Column 6, lines 56-61). "The receiving of these keys acts for example as encryption authorization signal. The useful information exchanged between the subscriber sets TP1 and TP2 will therefore be transmitted unenciphered at the level of the local installations INST1 and INST2 but will be encrypted thereafter between the network terminals TR1 and TR2." (Column 7, lines 3-9). Thus, the disclosure of *Fiori* is focused on the set up of the encrypted signal prior to transmission. *Fiori* does not disclose, teach, or suggest, in any manner, "monitoring the telecommunication link" as recited in dependent Claims 9-10 and 24-25. As such, *Fiori* cannot be said to disclose, teach, or suggest monitoring the telecommunication link to determine whether the telecommunications being

sent by the untrusted device use "an appropriate audio format" or "comprise media streaming." These features and operations are completely absent from the teachings of *Fiori*.

For at least these reasons, the rejection of Claims 1, 2-13, and 17-45 should be withdrawn. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1, 2-13, and 17-45.

ATTORNEY DOCKET NO.
062891.0292

PATENT APPLICATION
09/477,193

19

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

The required fee of \$180.00 is submitted herewith for the IDS and is believed to be correct. The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants



Brian W. Oaks
Reg. No. 44,981

Date: May 17, 2004

Correspondence Address:

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6986

05073

Patent Trademark Office